ANNUAL REPORT - 1987

PRINCE EDWARD ISLAND

LAND USE COMMISSION

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During the calendar year 1987 the Land Use Commission engaged in a broad range of activities relating to the use and ownership of land within the province. Twenty-five meetings were held during the year. The main activities of the Commission can be summarized as follows:

1. Appeals

The Land Use Commission hears appeals from persons who are dissatisfied with decisions made by government agencies and municipal governments under the Planning Act and the Unsightly Properties Act. Most appeals (6 in 1987) are submitted by persons or companies who have been refused permission to subdivide their land or from persons who are refused a building permit. In a smaller number of cases, citizens or municipalities are appealing decisions involving the approval of a subdivision or building permit (3 in 1987). The Commission made decisions on 7 appeals under the Planning Act in 1987. Five were appeals of decisions of the Department of Community and Cultural Affairs; the remainder were appeals of decisions made by municipalities under the authority of Official Plans and Zoning By-laws. The number of appeals heard by the Commission were nine less than those heard in the preceding year. Five appeals were denied; two were allowed; two were withdrawn before a decision was reached.

2. Lands Protection Act

The Commission continues to be responsible for making recommendations to Executive Council on all applications from non-residents and non-farm corporations seeking to acquire land in the province under the Lands Protection Act. The Commission is also responsible for the administration of the legislation.

During the course of the year the Commission made recommendations on 93 non-resident and 41 corporate applications. This represented a 12 per cent decrease in applications from 1986. Eight requests to release land from land identification agreements were granted.

One application was made by a corporation to acquire a landholding in excess of 3,000 acres. The application was approved. A statement outlining the basis of the transaction will be made to the Legislature, pursuant to Section 8(2) of the Act.

The vast majority of applications under the Lands Protection Act continue to be routine in nature. Gifts and bequests between related individuals, transfers between one non-resident and another, transfers from individuals to their companies, etc., make up the bulk of the transactions under the Act.

On August 2, 1986, a processing fee of $500.00 was enacted for all applications for permits and special permits. Provincially incorporated companies with the majority of shares held by residents were exempted. Revenues from the processing fees for 1987 were $49,500.00.

3. Official Plans

A new Official Plan was approved for the Community of Warren Grove. One for the Community of Sherbrooke was still under review at the end of the year. Most suburban communities in the Charlottetown and Summerside areas now have their own Official Plans and associated by-laws. Several are now reviewing their Official Plans which have been in effect for several years.

A hearing under the Municipalities Act was held in St. Eleanor's to approve an extension to its municipal boundaries.

5. Changes in Membership

The following members were appointed to the Land Use Commission in 1987: Barbara Stevenson (Chairman), Maurice Fitzpatrick, Sylvia Johnson, Lorne Keizer, Thomas MacLellan, Ronald McKinnon, Anne McPhee.

Barbara Stevenson
Chairman

January 13, 1988